

**SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

**STANDING HEARING OFFICER DIRECTIVE**

**DOCKET NO. [2018-362-E](#) ORDER NO. 2018-177-H**

**NOVEMBER 20, 2018**

Josh Minges  
Standing Hearing Officer

**DOCKET DESCRIPTION:**

Request of Beulah Solar, LLC to Toll the Deadline for Milestone Payment 1.

**MATTER UNDER CONSIDERATION:**

Motion to Maintain Status Quo to toll Milestone Payment 1 of Beulah Solar's Interconnection Agreement with South Carolina Electric and Gas ("SCE&G").

Beulah Solar states it is unable to complete financing for the project due to the temporary uncertainty regarding SCE&G's creditworthiness arising from this Commission's pending decision on the abandonment of nuclear power plant construction in Docket Nos. 2017-370-E, 2017-207-E, and 2017-305-E ("Consolidated Dockets").

According to Beulah Solar, Appendix "4" of the Interconnection Agreement provides a schedule of project milestones. Milestone Payment 1 requires Beulah Solar to make a substantial payment equal to one half of the estimated interconnection charges, by November 20, 2018. Beulah Solar maintains that if it does not make this payment, it will be in default of its obligations under the Interconnection Agreement.

Beulah Solar argues that there is substantial economic and regulatory uncertainty concerning the long-term future of SCE&G from the many issues raised in the Consolidated Dockets currently pending before this Commission. Beulah Solar further maintains that Cypress Creek's financing parties are unwilling to provide financing for Milestone Payment 1, until some of this uncertainty is resolved.

Beulah solar seeks an extension of the Milestone Payment 1 deadline until January 2, 2019 to provide a reasonable amount of time after the Commission issues a ruling in the Consolidated Dockets for Cypress Creek to assess the impact of any such ruling and to obtain financing.

**STANDING HEARING OFFICER ACTION:**

The Office of Regulatory Staff, an automatic party under S.C. Code Ann. § 58-4-10(B), and SCE&G have both stated in filings that they do not oppose granting the extension. Since there is no opposition, the Motion to Maintain Status Quo, which would stay the Milestone Payment 1 deadline of the Interconnection Agreement between Beulah Solar and SCE&G until January 2, 2019 is granted under the Commission's authority as specified by S.C. Code Ann. § 58-27-980.